

Agricultural Marketing Service, USDA

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assessment rate to the assessed weight computed pursuant to § 983.6.

(b) For the 2004–05 fiscal period each handler who receives pistachios for processing shall furnish the Receipts/Assessment Report to the Committee and pay all due assessments to the Committee by March 15, 2005. For subsequent fiscal periods, each handler who receives pistachios for processing shall furnish the Receipts/Assessment Report and pay all due assessments to the Committee by December 15 of the applicable fiscal period.

[70 FR 9846, Mar. 1, 2005]

PART 984—WALNUTS GROWN IN CALIFORNIA

Subpart—Order Regulating Handling

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AUTHORITY: 7 U.S.C. 601-674.

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SOURCE: 27 FR 9094, Sept. 13, 1962, unless otherwise noted.

DEFINITIONS

§ 984.1 Secretary.

Secretary means the Secretary of Agriculture of the United States, or any other officer or employee of the United States Department of Agriculture who is, or who may be, authorized to perform the duties of the Secretary of Agriculture of the United States.

§ 984.2 Act.

Act means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 *et seq.*).

§ 984.3 Person.

Person means an individual, partnership, corporation, association, or any other business unit.

§ 984.4 Area of production.

Area of production means the State of California.

[41 FR 31542, July 29, 1976]

§ 984.5 Grower.

Grower is synonymous with *producer* and means any person engaged in a proprietary capacity in the commercial production of walnuts.

§ 984.6 Board.

Board means the Walnut Marketing Board established pursuant to § 934.35.

[39 FR 35328, Oct. 1, 1974]

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§ 984.7 Marketing year.

Marketing year means the twelve months from August 1 to the following July 31, both inclusive.

§ 984.8 Walnuts.

Walnuts means only walnuts of the “English” (*Juglans regia*) varieties grown in California.

[41 FR 31542, July 29, 1976]

§ 984.9 Inshell walnuts.

Inshell walnuts means walnuts the kernels of which are contained in the shell.

§ 984.10 Shelled walnuts.

Shelled walnuts means walnut kernels after the shells are removed.

§ 984.11 Merchantable walnuts.

(a) *Inshell. Merchantable inshell walnuts* means all inshell walnuts meeting the minimum grade and size regulations effective pursuant to § 984.50.

(b) *Shelled. Merchantable shelled walnuts* means all shelled walnuts meeting the minimum grade and size regulations effective pursuant to § 984.50.

[27 FR 9094, Sept. 13, 1962, as amended at 39 FR 35328, Oct. 1, 1974]

§ 984.12 Substandard walnuts.

Substandard walnuts means all walnuts (whether inshell or shelled) the kernels of which do not meet the minimum standard prescribed for merchantable shelled walnuts.

§ 984.13 To handle.

To handle means to sell, consign, transport, or ship (except as a common or contract carrier of walnuts owned by another person), or in any other way to put walnuts, inshell or shelled, in the current of commerce either within the area of production or from such area to any point outside thereof, or for a manufacturer or retailer within the area of production to purchase directly from a grower: Except, that the term “to handle” shall not include sales and deliveries within the area of production by growers to handlers.

[39 FR 35328, Oct. 1, 1974, as amended at 41 FR 31542, July 29, 1976]